

**REPORT OF THE AUDIT OF THE
BOONE COUNTY
SHERIFF'S SETTLEMENT - 2007 TAXES**

**For The Period
March 31, 2007 Through March 31, 2008**



**CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS
www.auditor.ky.gov**

**209 ST. CLAIR STREET
FRANKFORT, KY 40601-1817
TELEPHONE (502) 564-5841
FACSIMILE (502) 564-2912**

EXECUTIVE SUMMARY
AUDIT EXAMINATION OF THE
BOONE COUNTY
SHERIFF'S SETTLEMENT - 2007 TAXES

For The Period
March 31, 2007 Through March 31, 2008

The Auditor of Public Accounts has completed the audit of the Sheriff's Settlement - 2007 Taxes for the Boone County Sheriff for the period March 31, 2007 through March 31, 2008. We have issued an unqualified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

Financial Condition:

The Sheriff collected taxes of \$115,057,702 for the districts for 2007 taxes, retaining commissions of \$3,138,892 to operate the Sheriff's office. The Sheriff distributed taxes of \$111,350,211 to the districts for 2007 taxes. Taxes of \$501 are due to the districts from the Sheriff and refunds of \$825 are due to the Sheriff from the taxing districts.

Deposits:

The Sheriff's deposits were insured and collateralized by bank securities.

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CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky

Honorable Steven L. Beshear, Governor

Jonathan Miller, Secretary

Finance and Administration Cabinet

Honorable Gary W. Moore, Boone County Judge/Executive

Honorable Michael A. Helmig, Boone County Sheriff

Members of the Boone County Fiscal Court

Independent Auditor's Report

We have audited the Boone County Sheriff's Settlement - 2007 Taxes for the period March 31, 2007 through March 31, 2008. This tax settlement is the responsibility of the Boone County Sheriff. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for Sheriff's Tax Settlements issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the Sheriff's office prepares the financial statement on a prescribed basis of accounting that demonstrates compliance with the modified cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the Boone County Sheriff's taxes charged, credited, and paid for the period March 31, 2007 through March 31, 2008, in conformity with the modified cash basis of accounting.

In accordance with Government Auditing Standards, we have also issued our report dated September 2, 2009 on our consideration of the Sheriff's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to



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provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Crit Luallen", written in a cursive style.

Crit Luallen
Auditor of Public Accounts

September 2, 2009

BOONE COUNTY
MICHAEL A. HELMIG, SHERIFF
SHERIFF'S SETTLEMENT - 2007 TAXES

For The Period March 31, 2007 Through March 31, 2008

<u>Charges</u>	County Taxes	Special Taxing Districts	School Taxes	State Taxes
Real Estate	\$ 9,433,751	\$ 20,413,735	\$ 50,719,293	\$ 11,827,228
Tangible Personal Property	1,827,540	5,811,986	6,327,473	4,170,289
Increases Through Exonerations	4,702	13,661	18,832	8,775
Omitted Taxes	1,308	3,159	6,793	1,648
Franchise Taxes	1,384,966	3,014,093	5,278,181	
Additional/Supplemental Billings	122,364	257,265	557,538	219,201
Limestone, Sand and Mineral Reserves	1,035	2,946	5,351	1,296
Additional Leaseholds				8,215
Penalties	35,499	78,029	187,975	46,847
Adjusted to Sheriff's Receipt	21	115		29
Gross Chargeable to Sheriff	12,811,186	29,594,989	63,101,436	16,283,528
<u>Credits</u>				
Exonerations	151,931	316,270	606,243	210,971
Discounts	197,676	457,785	992,691	275,174
Delinquents:				
Real Estate	48,448	87,552	273,711	60,682
Tangible Personal Property	15,147	32,754	52,888	39,855
Omitted Taxes- Uncollected	337	779	1,742	422
Additional Bills- Uncollected	23,693	61,597	90,834	68,088
Leasehold Taxes- Uncollected				12,941
Franchise Taxes - Delinquent and Uncollected	380,103	843,711	1,429,436	
Bankruptcy less partial payment	(2)	(6)	(13)	(3)
Total Credits	817,333	1,800,442	3,447,532	668,130
Taxes Collected	11,993,853	27,794,547	59,653,904	15,615,398
Less: Commissions *	510,026	771,846	1,193,078	663,942
Taxes Due	11,483,827	27,022,701	58,460,826	14,951,456
Taxes Paid	11,424,745	26,899,725	58,219,588	14,806,153
Refunds (Current and Prior Year)	59,095	123,163	241,334	145,331
Due Districts or (Refunds)		**	***	
Due Sheriff)	\$ (13)	\$ (187)	\$ (96)	\$ (28)

The accompanying notes are an integral part of this financial statement.

BOONE COUNTY
 MICHAEL A. HELMIG, SHERIFF
 SHERIFF'S SETTLEMENT - 2007 TAXES
 For The Period March 31, 2007 Through March 31, 2008
 (Continued)

* Commissions:

10% on	\$ 10,000
4.25% on	42,796,188
4% on	59,653,904
1% on	12,597,610

** Special Taxing Districts:

Library District	\$ (315)
Health District	(43)
Extension District	(70)
Walton Fire	(260)
Hebron Fire	189
Union Fire	2
Burlington Fire	239
Florence Fire	31
Union Ambulance	<u>40</u>

Due Districts or (Refunds Due Sheriff)	<u><u>\$ (187)</u></u>
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*** School Taxing District:

Common School District	<u><u>\$ (96)</u></u>
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BOONE COUNTY
NOTES TO FINANCIAL STATEMENT

March 31, 2008

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

The Sheriff's office tax collection duties are limited to acting as an agent for assessed property owners and taxing districts. A fund is used to account for the collection and distribution of taxes. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

B. Basis of Accounting

The financial statement has been prepared on a modified cash basis of accounting. Basis of accounting refers to when charges, credits, and taxes paid are reported in the settlement statement. It relates to the timing of measurements regardless of the measurement focus.

Charges are sources of revenue which are recognized in the tax period in which they become available and measurable. Credits are reductions of revenue which are recognized when there is proper authorization. Taxes paid are uses of revenue which are recognized when distributions are made to the taxing districts and others.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Deposits

The Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC) as required by KRS 66.480(1)(d). According to KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution.

BOONE COUNTY
 NOTES TO FINANCIAL STATEMENT
 March 31, 2008
 (Continued)

Note 2. Deposits (Continued)

Custodial Credit Risk - Deposits

Custodial credit risk is the risk that in the event of a depository institution failure, the Sheriff's deposits may not be returned. The Sheriff does not have a deposit policy for custodial credit risk but rather follows the requirements of KRS 41.240(4). As of March 31, 2008, all deposits were covered by FDIC insurance or a properly executed collateral security agreement.

Note 3. Tax Collection Period

The real and personal property tax assessments were levied as of January 1, 2007. Property taxes were billed to finance governmental services for the year ended June 30, 2008. Liens are effective when the tax bills become delinquent. The collection period for these assessments was September 28, 2007 through March 31, 2008.

Note 4. Interest Income

The Boone County Sheriff earned \$87,358 as interest income on 2007 taxes. The Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder was used to operate the Sheriff's office. As of September 2, 2009, the Sheriff owed \$824 in interest to the Boone County Board of Education, \$63 in interest to the Walton-Verona Board of Education, and \$894 in interest to his fee account.

Note 5. Sheriff's 10% Add-On Fee

The Boone County Sheriff collected \$271,396 of 10% add-on fees allowed by KRS 134.430(3). This amount was used to operate the Sheriff's office.

Note 6. Advertising Costs And Fees

The Boone County Sheriff collected \$15,260 of advertising costs and advertising fees allowed by KRS 424.330(1) and KRS 134.440(2). Since the Sheriff pays for the advertising costs, he transferred the collections to the fee account to be used to operate the Sheriff's office.

Note 7. Unrefundable Duplicate Payments And Unexplained Receipts

The Sheriff deposited unrefundable duplicate payments and unexplained receipts an interest-bearing account. The Sheriff's escrowed amounts were as follows:

2000	\$ 6,489 (Balance Brought Forward)
2001	\$ 4,244
2002	\$ 2,247
2003	\$ 8,412
2004	\$ 2,802
2005	\$ 2,104
2006	\$ 2,111

BOONE COUNTY
NOTES TO FINANCIAL STATEMENT
March 31, 2008
(Continued)

Note 7. Unrefundable Duplicate Payments And Unexplained Receipts (Continued)

KRS 393.090 states that after three years, if the funds have not been claimed, they are presumed abandoned, and abandoned funds are required to be sent to the Kentucky State Treasurer by KRS 393.110. The Sheriff sent a written report to the Treasury Department and submitted \$11,194 in December of 2008 to the Kentucky State Treasurer in accordance with KRS 393.110. The Sheriff now owes \$15,104 to date, representing the balance of funds due for deposits held in escrow for tax years through 2005.

For 2007 taxes, the Sheriff has \$1,376 in unrefundable duplicate payments and unexplained receipts.

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REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL
STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Gary W. Moore, Boone County Judge/Executive
Honorable Michael A. Helmig, Boone County Sheriff
Members of the Boone County Fiscal Court

Report On Internal Control Over Financial Reporting And On
Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

We have audited the Boone County Sheriff's Settlement - 2007 Taxes for the period March 31, 2007 through March 31, 2008, and have issued our report thereon dated September 2, 2009. The Sheriff prepares his financial statement in accordance with a basis of accounting other than generally accepted accounting principles. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Boone County Sheriff's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the Boone County Sheriff's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Sheriff's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with the modified cash basis of accounting such that there is more than a remote likelihood that a misstatement of the entity's financial statement that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statement will not be prevented or detected by the entity's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.



Report On Internal Control Over Financial Reporting And On
Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Boone County Sheriff's Settlement - 2007 Taxes for the period March 31, 2007 through March 31, 2008, is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

This report is intended solely for the information and use of management, the Boone County Fiscal Court, and the Department for Local Government and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen", written in a cursive style.

Crit Luallen
Auditor of Public Accounts

September 2, 2009

